



# Department of Pesticide Regulation



Paul Helliker  
Director

Arnold Schwarzenegger  
Governor

April 9, 2004

EXECUTIVE OFFICE #04-01

TO: County Agricultural Commissioners

SUBJECT: PEST CONTROL ADVISER QUALIFICATION TO WRITE GROUND  
WATER PROTECTION ADVISORIES

This letter clarifies the status of pest control advisers (PCAs) who attended ground water protection training in February or March 2002. The purpose of the training was to enable PCAs to qualify to write ground water protection advisories in their pesticide management zones (PMZs) for the use of chemicals listed in Title 3 California Code of Regulations (3 CCR) section 6800(a).

Title 3 CCR section 6416 currently states that no permit shall be issued for use of a section 6800(a) chemical within that chemical's PMZs unless the permit applicant submits a ground water protection advisory. That advisory must be written by a licensed PCA who has completed ground water protection training approved and administered by the Department Pesticide Regulation (DPR). Title 3 CCR section 6557 requires the PCA to file written proof of completion of that ground water protection training within the past two calendar years in each county in which the PCA intends to write advisories.

In April 2003, DPR proposed regulations to eliminate the requirement to write ground water protection advisories. Those regulations were noticed for public comment, comments were received, and the regulations were adopted and sent to the Office of Administrative Law (OAL) for approval in October 2003. However, before OAL could complete its review in November 2003, Governor Schwarzenegger issued an Executive Order requiring further review of regulations that had not yet been approved by OAL. That review has now been completed and the regulations were resubmitted to OAL on March 16, 2004. If approved, the regulations could go into effect in May 2004.

Since we initially expected the regulations to go into effect by March 2004, no ground water protection training was scheduled. With the current delay, PCAs who last completed ground water protection training in February or March 2002 would normally need to attend training to continue to qualify to write advisories after February or March 2004.




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This letter serves as authorization for PCAs who last attended ground water protection training in February or March 2002 to continue to write advisories until the regulations take effect.

If you have any questions, please contact the Enforcement Branch liaison serving your county.

Sincerely,

 for:

Paul Helliker  
Director  
(916) 445-4000

cc: Mr. Daniel J. Merkley, DPR Agricultural Commissioner Liaison  
Enforcement Branch Liaisons